

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KENYATTA NALLS,

Plaintiff,

v.

BENNY N. NAPOLEAN, ET AL.,

Defendants.

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Case No. 11-12670

SENIOR U.S. DISTRICT JUDGE  
ARTHUR J. TARNOW

U.S. MAGISTRATE JUDGE  
ELIZABETH A. STAFFORD

**ORDER ADOPTING AMENDED REPORT AND RECOMMENDATION  
[50], DISMISSING PLAINTIFF'S CLAIMS FOR MONETARY DAMAGES  
AGAINST DEFENDANTS IN THEIR OFFICIAL CAPACITIES, AND  
MOOTING PREVIOUS R&RS [46], [16] AND OBJECTION [21]**

On January 21, 2015, the Magistrate Judge issued an Amended Report and Recommendation ("R&R") [50] recommending that the Court dismiss *sua sponte* Plaintiff's claims in his Amended Complaint [42] for monetary damages against Defendants in their official capacities. The time to file objections has passed and no objection to the Amended R&R [50] was filed.

The Amended R&R [50] replaces the first R&R [46], which the Magistrate Judge entered on the same day. The previous R&R [16] and Defendants' Objection thereto [21] pertained to Plaintiff's Original Complaint [1]. Consequently, the R&Rs [46], [16] and Objection [21] are moot.

The Court has reviewed the record in this case. The Amended R&R [50] of the Magistrate Judge is hereby **ADOPTED** and is entered as the findings and conclusions of the Court. Accordingly,

**IT IS ORDERED** that Plaintiff's claims in his Amended Complaint [42] for monetary damages against Defendants in their official capacities are **DISMISSED**.

**IT IS FURTHER ORDERED** that the R&Rs [16], [46] and Objection [21] are **MOOT**.

**SO ORDERED.**

Dated: April 27, 2015

s/Arthur J. Tarnow  
Arthur J. Tarnow  
Senior United States District Judge